

In the matter of Petition for Waiver for the Lake Delton  
Urgent Care Appeal of the Universal Service Administrator

Docket NO. 02-60

To: Federal Communication Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Room TW-A325  
Washington, DC 20554

Re: Petition for Waiver Universal Service Fund Appeal  
Lake Delton Urgent Care FY 2006 HCP 14574 FRN 27895

### Background

On March 17, 2008, the Universal Service Administrator denied our initial appeal of a funding decision for Lake Delton Urgent Care Clinic.

An appeal was required to be submitted by May 16, 2008. The appeal could be filed via mail, hand delivered, electronically submitted, or faxed.

The Basic information required to file an appeal with the Federal Communication Commission was provided under the Filing Appeals Section of the USAC Web site. "Appeals with the FCC filed by fax must be faxed to 202-418-0187." 202-418-0187 was not a working number on May 16, 2008. The USAC Web site provided the following limited guidance:

Appeals may also be submitted to the FCC electronically, either by the Electronic Comment Filing System (ECFS) or by fax. The FCC recommends filing with the ECFS to ensure timely filing. Instructions for using ECFS can be found on the ECFS page of the FCC web site [www.fcc.gov/cgb/ecfs](http://www.fcc.gov/cgb/ecfs). Appeals to the FCC filed by fax must be faxed to 202-418-0187. Electronic appeals will be considered filed on a business day if they are received at any time before 12:00 a.m. (midnight), Eastern Standard Time. Fax transmissions will be considered filed on a business day if the complete transmission is received at any time before 12:00 a.m.

**Important note.** Please be sure to indicate Docket Nos. 96-45 and 97-21 on all communications with the FCC. The appeal transmission must also provide the rural health care provider (HCP) name and HCP Number from the letter(s) being appealed, plus necessary contact information including the name, address, telephone number, fax number, and e-mail address (if available) of the person filing the appeal. Unless the appeal is made electronically via ECFS, please include a copy of the USAC letter being appealed.

On May 16, 2008 an appeal of the decision of the Universal Service Administrator was transmitted via fax to the Federal Communication Commission. The fax number used to transmit the appeal was 202 -418-2825, associated with the Wireline Competition Bureau (WCB). The fax coversheet was directed to FCC-Universal Service Fund Appeal-Rural Health with the Docket numbers, contact information and HCP information.

A fax of the appeal was also transmitted to USAC on May 16, 2008.

On May 27, 2008, a follow-up call was made to the WCB to confirm receipt. An additional call was made on May 28, 2008 and I was notified the fax should have been faxed directly to the Secretary of the Commission.

The documents initially faxed to WBC were forwarded by WCB to the Secretary on May 28, 2008.

#### Request

I am requesting a waiver of the 60 day time requirement based on the information provided above.